

1 AT A PUBLIC HEARING AND REGULAR MEETING OF THE WETLANDS BOARD OF THE CITY OF
2 HAMPTON, VIRGINIA, HELD IN THE CITY COUNCIL CHAMBERS, CITY HALL, 22 LINCOLN
3 STREET, 8TH FLOOR, AT 5:00 P.M. ON TUESDAY, JUNE 24, 2014.

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5 **ITEM I. CALL TO ORDER**

6 The meeting was called to order at 5:00 p.m. by Chairman Wood.

7
8 **ITEM II. ROLL CALL**

9 Board Members present were: Vice Chairman Hasselquist, Ms. Leigh Chapman, Ms.
10 Gayle Cozzens, Alternate Jeff Amick, Alternate Carole Garrison, and Chairman William
11 Wood. Also present were Veronica Meade, Senior Assistant City Attorney, Mr. Michael
12 Anaya, Environmental & Sustainability Planner, and Ms. Dorinda Weeks, Recording
13 Secretary.

14
15 **ITEM III. CONSIDERATION OF MINUTES**

16 Ms. Chapman motioned to accept the March 25, 2014 minutes as provided. Vice
17 Chairman Hasselquist seconded the motion.

18
19 AYES: Hasselquist, Chapman, Cozzens, Amick, Garrison, Wood

20 NAYS: None

21 ABSTAIN: None

22 ABSENT: None

23
24 Vice Chairman Hasselquist motioned to approve the February 25, 2014 minutes.

25 Alternate Amick seconded the motion.

1 AYES: Hasselquist, Chapman, Cozzens, Amick, Garrison, Wood

2 NAYS: None

3 ABSTAIN: None

4 ABSENT: None

5
6 **ITEM IV. PUBLIC HEARING JPA 14-0694 COX COMMUNICATIONS, 1430-A & 1430 W.**

7 **QUEEN STREET AND 18 MALLARD RUN, UNDERGROUND UTILITY CABLE INSTALLATION.**

8 M. Anaya presented the board JPA 14-0694: The applicant proposes to install an
9 underground utility cable, running the length of the existing driveway and footbridge, in
10 order to tie into existing telecommunications towers located on the site. The utility cable
11 will be installed from the existing Cox Communication stub at the end of Mallard Run.
12 The cable will be placed in a 4" conduit and directionally drilled to the MAC Cabinet to
13 be built on the upland portion of the property adjacent to the existing building. The
14 cable will run to the east to an existing power pole and to the west along the side of
15 the existing wooden walkway.

16
17 The subject property contains vegetated tidal wetlands associated with Newmarket
18 Creek. The installation of the utility cable will temporarily impact 47 square feet of
19 vegetated tidal wetlands from the MAC Cabinet to the existing power pole.

20
21 Staff recommends that the Board approve a permit for this application given the
22 following considerations:

- 23 - Due to existing utility lines and utility stubs on the subject property, there are no
24 viable alternatives for location and placement of the utility cable.

- Effort has been made to minimize impacts to wetlands by using subsurface directional drilling techniques to install the proposed utility cable.
- Proposed impacts are temporary, as the disturbed area will be restored to its original grade and subsequently replanted with wetland vegetation.

Should the Board vote to grant a permit for this project as proposed in this application, Staff recommends the authorization subject to an expiration date of **June 24, 2015**, the standard conditions, and the following conditions:

- The permittee shall notify the City of Hampton Environmental Inspector one day prior to commencement of construction activity.
- The site shall be monitored by the City of Hampton Environmental Inspector **during** construction in order to ensure proper and appropriate construction practices.
- The permittee shall notify the City of Hampton Environmental Inspector upon completion of construction.

Bowman Consulting Group, Civil Consultant for the project explained the scheduled time of restabilization of the trench would be approximately the latter part of the summer.

Board Member Chapman motioned to approve JPA 14-0694 as proposed with the conditions recommended in the staff report. Vice Chairman Hasselquist seconded the motion.

1 AYES: Hasselquist, Chapman, Cozzens, Amick, Garrison, Wood

2 NAYS: None

3 ABSTAIN: None

4 ABSENT: None

5
6 **ITEM Va. MATTERS BY STAFF – In-Lieu Fee Fund.**

7 M. Anaya presented an update to the Board of the current In-Lieu-Fee Fund balance:
8 \$48,405.00.

9
10 Balance reflects contribution of \$2,340 to the fund as a condition of Wetlands Permit
11 #13-1052 (Pace Homes) to offset impacts to 117 square feet of tidal wetlands.

12
13 **ITEM Vb. MATTERS BY STAFF - Brief on potential wetland creation site.**

14 M. Anaya presented the Board with the possibility of creating wetlands at the Air Power
15 Park and Newmarket Creek Trail for teaching about the wetlands.

16
17 **ITEM Vc. MATTERS BY STAFF**

18 M. Anaya updated the Board on Wetlands Permit 12-1657 1563 N. King Street, proposed
19 rip rap revetment. The permit has expired as of February 5, 2014. Due to the delinquent
20 condo association fees, it has prevented the applicant from getting their loan for the
21 mitigation fees. Therefore, we will have to rehear the application.

22
23 The applicant, Cynthia Phillips, explained the delinquent condo association fee is true,
24 however no longer true and the problem is the two different association management
25 companies who allow too many renters into the property who are unable to receive

1 loans. The applicant's request to extend the permit deadline could not be granted
2 because the permit has expired. However, the applicant can resubmit the permit
3 application.

4
5 **ITEM Vd. MATTERS BY STAFF**

6 M. Anaya briefed the Board on the JPAs that are in review:

- 7 • JPA14-0777, Fuel pier replacement at Joint Base Langley Eustis
- 8 • JPA14-0783, Private pier with L-head
- 9 • JPA14-0832, Pipe and fill existing drainage ditch
- 10 • JPA14-0833, Artificial dune construction
- 11 • JPA14-0834, Artificial dune construction

12
13 **ITEM Ve. MATTERS BY STAFF** – Attorney Veronica Meade updated the Board on two
14 Legislative Acts that came out at the General Assembly that would impact the
15 Wetlands Board.

16
17 **ITEM VI. MATTERS BY THE PUBLIC**

18 No matters presented by the public.

19
20 **ITEM VII. MATTERS BY THE BOARD**

- 21 - Briefing on the VIMS Living Shorelines meeting that was held on May 22, 2014.
- 22 - Brief discussion on having a living shoreline packet or information available to the
23 applicant before a wetlands permit application is accepted.

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25 **ITEM VIII. ADJOURNMENT**

1 The meeting was adjourned by the Chairman at 6:03 p.m.

2
3 Respectfully Submitted,

APPROVED BY:

4
5 Michael Anaya,
6 Environmental & Sustainability Planner

William Wood, Chairman
Hampton Wetlands Board